

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
GREAT FALLS DIVISION

JUSTIN A. EDMONDS,

Plaintiff,

v.

MARTIN O'MALLEY,  
Commissioner of Social Security,

Defendant.

CASE NO. 4:23-CV-00047-JTJ

ORDER REMANDING CASE

The Commissioner's final decision is REVERSED and REMANDED for further administrative proceedings before an Administrative Law Judge (ALJ). On remand, the ALJ shall: further develop the record, as necessary; offer Plaintiff the opportunity for a new administrative hearing; reevaluate the evidence; and issue a new decision.

Remand shall be made under sentence four of 42 U.S.C. § 405(g). *See Melkonyan v. Sullivan*, 501 U.S. 89 (1991). Upon proper presentation, the Court will consider Plaintiff's application for reasonable attorney fees and expenses pursuant to 28 U.S.C. § 2412(d) and costs as enumerated in 28 U.S.C. § 1920, under 28 U.S.C. § 2412(a). Judgment shall be entered for Plaintiff.

DATED this 12th day of February, 2024.



John Johnston  
United States Magistrate Judge